

**U.S. District Court  
Southern District of California (San Diego)  
CIVIL DOCKET FOR CASE #: 3:17-cv-01451-LAB-MDD**

Wright v. U.S. Department of Justice et al  
Assigned to: Judge Larry Alan Burns  
Referred to: Magistrate Judge Mitchell D. Dembin  
Cause: 05:0552fi Freedom of Information Act

Date Filed: 07/18/2017  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Roderic Mack Wright**

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V.

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**Defendant**

U.S. Department of the Treasury

represented by **U S Attorney CV**  
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**Rebecca Grace Church**  
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| Date Filed | #         | Docket Text  |
|------------|-----------|--|
| 07/18/2017 | <u>1</u>  | COMPLAINT against U.S. Department of Justice, U.S. Department of the Treasury ( Filing fee \$ 400 receipt number 0974-10258411.), filed by Roderic Mack Wright. (Attachments: # <u>1</u> Civil Case Cover Sheet, # <u>2</u> Exhibit 1, # <u>3</u> Exhibit 2, # <u>4</u> Exhibit 3)<br><br>The new case number is 3:17-cv-01451-LAB-MDD. Judge Larry Alan Burns and Magistrate Judge Mitchell D. Dembin are assigned to the case. (Hasso-Najm, Jennifer J)(anh). (jao). (Entered: 07/18/2017) |
| 07/18/2017 | <u>2</u>  | Summons Issued.<br><b>Counsel receiving this notice electronically should print this summons and serve it in accordance with Rule 4, Fed.R.Civ.P and LR 4.1.</b> (anh) (jao). (Entered: 07/18/2017)  |
| 12/15/2017 | <u>3</u>  | ORDER TO SHOW CAUSE. Order to Show Cause Brief due by 12/20/2017. Signed by Judge Larry Alan Burns on 12/15/2017.(acc) (Entered: 12/15/2017)   |
| 12/18/2017 | <u>4</u>  | MOTION for Extension of Time to Amend <i>for Service of Complaint</i> by Roderic Mack Wright. (Attachments: # <u>1</u> Declaration)(Hasso-Najm, Jennifer). QC Mail – Reminder to use "s/" signature (jdt). (Entered: 12/18/2017)   |
| 12/21/2017 | <u>5</u>  | ORDER granting <u>4</u> Additional Time to Serve Complaint. The Court exercises its discretion to allow Wright to serve his complaint by 12/29/2017. If he doesn't, this action will be dismissed. Signed by Judge Larry Alan Burns on 12/20/2017. (jdt) (Entered: 12/21/2017)   |
| 12/28/2017 | <u>6</u>  | SUMMONS Returned Executed by Roderic Mack Wright. All Defendants served. (Attachments: # <u>1</u> Proof of Service, # <u>2</u> Proof of Service, # <u>3</u> Proof of Service, # <u>4</u> Proof of Service, # <u>5</u> Proof of Service, # <u>6</u> Proof of Service)(Hasso-Najm, Jennifer) (jdt). (Entered: 12/28/2017)  |
| 01/16/2018 | <u>7</u>  | Ex Parte MOTION for Extension of Time to File Answer <i>to Complaint</i> by U.S. Department of Justice, U.S. Department of the Treasury. (Attachments: # <u>1</u> Proof of Service)(Church, Rebecca)Attorney Rebecca Grace Church added to party U.S. Department of Justice(pty:dft), Attorney Rebecca Grace Church added to party U.S. Department of the Treasury(pty:dft) (jdt). Modified on 1/17/2018 to change event type (jdt). (Entered: 01/16/2018)                                   |
| 01/17/2018 | <u>8</u>  | ORDER granting <u>7</u> Motion for Extension of Time to Answer U.S. Department of Justice answer due 2/9/2018; U.S. Department of the Treasury answer due 2/9/2018. Signed by Judge Larry Alan Burns on 1/17/2018. (jdt) (Entered: 01/17/2018)   |
| 02/09/2018 | <u>9</u>  | ANSWER to <u>1</u> Complaint, by U.S. Department of Justice. (Attachments: # <u>1</u> Proof of Service)(Church, Rebecca) (jdt). (Entered: 02/09/2018)  |
| 02/09/2018 | <u>10</u> | ANSWER to <u>1</u> Complaint, by U.S. Department of the Treasury.(McMonagle, Ryan)Attorney Ryan O. McMonagle added to party U.S. Department of the Treasury(pty:dft) (jdt). (Entered: 02/09/2018)  |
| 03/12/2018 | <u>11</u> | NOTICE AND ORDER for Early Neutral Evaluation and Case Management Conference. An Early Neutral Evaluation and Case Management Conference will be held on 4/9/2018 at 9:30 AM in the Chambers of Magistrate Judge Mitchell D.   |

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|            |           | Dembin. Signed by Magistrate Judge Mitchell D. Dembin on 3/12/2018.(jdt) (Entered: 03/13/2018)   |
| 03/26/2018 | <u>12</u> | ORDER: On the Court's own motion, the parties and/or party representatives are excused from appearing at the Early Neutral Evaluation/Case Management Conference currently scheduled for April 9, 2018. <u>11</u> . Only counsel are required to personally appear. Signed by Magistrate Judge Mitchell D. Dembin on 03/26/2018.(no document attached) (atk) (Entered: 03/26/2018)   |
| 04/02/2018 | <u>13</u> | Ex Parte MOTION Department of Treasury to Appear by Phone at ENE by U.S. Department of Justice, U.S. Department of the Treasury. (Attachments: # <u>1</u> Proof of Service)(Church, Rebecca) (jdt). (Entered: 04/02/2018)  |
| 04/03/2018 | <u>14</u> | ORDER granting <u>13</u> Department of the Treasury's Motion for Telephonic Appearance at the Early Neutral Evaluation Conference. The Court finds good cause to allow counsel for the Department of the Treasury to participate telephonically at the ENE Conference. Counsel for the Department of the Treasury must send an email with a phone number where counsel can be reached to efile_dembin@casd.uscourts.gov not later than April 6, 2018. Signed by Magistrate Judge Mitchell D. Dembin on 04/03/2018. (no document attached) (atk) (Entered: 04/03/2018)  |
| 04/05/2018 | <u>15</u> | Ex Parte MOTION to Continue <i>Early Neutral Evaluation (ENE) and Case Management Conference</i> by Plaintiff Roderic Mack Wright. (Hasso–Najm, Jennifer). QC mail – wrong event selected. Modified on 4/6/2018 to change to motion and correct docket type (jdt). (Entered: 04/05/2018)   |
| 04/08/2018 | <u>16</u> | ORDER granting in part and denying in part <u>15</u> Ex Parte Motion to Continue Early Neutral Evaluation/Case Management Conference: The Court declines to continue the ENE/CMC beyond April 9, 2018, rather, the ENE/CMC will be converted to a TELEPHONIC ATTORNEYS ONLY conference and will be moved from the Court's morning calendar to the afternoon calendar at 2:45PM. Counsel are ordered to use the dial–in information filed as a separate notice to access the Court's teleconference service. (The teleconference information sheet can be accessed through ECF using the login information assigned to an attorney of record in the case and then selecting the report option. On the next screen, the docket sheet option should be selected, prompting the user for a PACER login (assigned to the attorney of record). Once the PACER login is completed, the case number can be entered which will display the docket sheet for the case and allow the user to open the teleconference information sheet.). Signed by Magistrate Judge Mitchell D. Dembin on 04/08/2018. (no document attached) (atk) (Entered: 04/08/2018) |
| 04/08/2018 | <u>17</u> | NOTICE of Teleconference Information Sheet. Teleconference set for 04/09/2018 at 2:45PM. (atk) (Entered: 04/08/2018)   |
| 04/09/2018 | <u>18</u> | Minute Entry for proceedings held before Magistrate Judge Mitchell D. Dembin: A telephonic Early Neutral Evaluation/Case Management Conference was held on 4/9/2018. Order to follow.(Plaintiff Attorney: Jennifer Hasso–Najm). (Defendant Attorneys: Rebecca Church, Dept of Justice; Ryan McMonagle, Dept of Treasury). (no document attached) (atk) (Entered: 04/09/2018)   |
| 04/11/2018 | <u>19</u> | ORDER: The ENE/CMC was held April 9, 2018. Accordingly, the deadline to file summary judgment motions is August 31, 2018. No discovery is authorized at this time. Signed by Magistrate Judge Mitchell D. Dembin on 04/11/2018.(no document attached) (atk) (Entered: 04/11/2018)  |
| 08/31/2018 | <u>20</u> | MOTION for Summary Judgment <i>on Plaintiff's Complaint for Injunctive and Declaratory Relief</i> by U.S. Department of Justice. (Attachments: # <u>1</u> Memo of Points and Authorities, # <u>2</u> Declaration Kornmeier, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Declaration Hardy, # <u>9</u> Exhibit A, # <u>10</u> Exhibit B, # <u>11</u> Exhibit C, # <u>12</u> Exhibit D, # <u>13</u> Exhibit E, # <u>14</u> Exhibit F, # <u>15</u> Exhibit G, # <u>16</u> Exhibit H, # <u>17</u> Exhibit I, # <u>18</u> Exhibit J, # <u>19</u> Exhibit K, # <u>20</u> Exhibit L, # <u>21</u> Proof of Service)(Church, Rebecca) (jdt). (Entered: 08/31/2018)   |
| 08/31/2018 | <u>21</u> | MOTION for Summary Judgment <i>of the Department of Justice, Tax Division</i> by U.S. Department of Justice. (Attachments: # <u>1</u> Memo of Points and Authorities, # <u>2</u> Declaration of Carmen M. Banerjee, # <u>3</u> Declaration of Christopher P. Valvardi, # <u>4</u> Exhibit A to Declaration of Christopher P. Valvardi, # <u>5</u> Exhibit B o Declaration of   |

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|            |           | Christopher P. Valvardi)(McMonagle, Ryan)Attorney Ryan O. McMonagle added to party U.S. Department of Justice(pty:dft) (jdt). (Entered: 08/31/2018)  |
| 08/31/2018 | <u>22</u> | MOTION for Summary Judgment by U.S. Department of the Treasury. (Attachments: # <u>1</u> Memo of Points and Authorities, # <u>2</u> Declaration of Ryan Law, # <u>3</u> Exhibit A to Declaration of Ryan Law)(McMonagle, Ryan) (jdt). (Entered: 08/31/2018)  |
| 10/19/2018 | <u>23</u> | Ex Parte MOTION for Extension of Time to File Response/Reply <i>summary judgment motion</i> by Roderic Mack Wright. (Attachments: # <u>1</u> Declaration)(Hasso–Najm, Jennifer) Modified on 10/22/2018 – QC Mail: Missing proof of service. Instructed to file proof of service separately. Reminder to registered user to use "s/" (jdt). (Entered: 10/19/2018)   |
| 10/19/2018 | <u>24</u> | ORDER granting <u>23</u> Motion for Extension of Time to File Response/Reply re <u>21</u> MOTION for Summary Judgment <i>of the Department of Justice, Tax Division</i> , <u>22</u> MOTION for Summary Judgment , <u>20</u> MOTION for Summary Judgment <i>on Plaintiff's Complaint for Injunctive and Declaratory Relief</i> Responses due by 12/3/2018 Replies due by 12/10/2018. Hearings on Defendants' Motions for Summary Judgment set for 12/17/2018 11:30 AM in Courtroom 14A before Judge Larry Alan Burns.. Signed by Judge Larry Alan Burns on 10–19–2018. (ceh) (Entered: 10/19/2018)  |
| 10/22/2018 | <u>25</u> | CERTIFICATE OF SERVICE by Roderic Mack Wright re <u>23</u> Ex Parte MOTION for Extension of Time to File Response/Reply <i>summary judgment motion</i> (Hasso–Najm, Jennifer) (jdt). (Entered: 10/22/2018)   |
| 12/03/2018 | <u>26</u> | Ex Parte MOTION to Continue <i>DEADLINES TO OPPOSE &amp; REPLY TO A SUMMARY JUDGMENT MOTION</i> by Roderic Mack Wright. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit)(Hasso–Najm, Jennifer) (jdt). (Entered: 12/03/2018)   |
| 12/03/2018 | <u>27</u> | ORDER Granting Extension (Dkt. <u>26</u> ). Plaintiff's opposition is due 12/5/2018. Defendants' replies are due 12/12/2018. Signed by Judge Larry Alan Burns on 12/3/2018. (jdt) (Entered: 12/03/2018)  |
| 12/05/2018 | <u>28</u> | RESPONSE in Opposition re <u>21</u> MOTION for Summary Judgment <i>of the Department of Justice, Tax Division</i> , <u>22</u> MOTION for Summary Judgment , <u>20</u> MOTION for Summary Judgment <i>on Plaintiff's Complaint for Injunctive and Declaratory Relief</i> <i>OPPOSITIONS TO SJMS</i> filed by Roderic Mack Wright. (Attachments: # <u>1</u> Memo of Points and Authorities Opposition SJM Dept. of Justice Tax Division, # <u>2</u> Memo of Points and Authorities Opposition SJM Dept. of Treasury, # <u>3</u> Declaration Seth E. Wright, # <u>4</u> Declaration Roderic M. Wright, # <u>5</u> Notice of Lodgment, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit)(Hasso–Najm, Jennifer) (jdt). (Entered: 12/05/2018) |
| 12/12/2018 | <u>29</u> | REPLY to Response to Motion re <u>20</u> MOTION for Summary Judgment <i>on Plaintiff's Complaint for Injunctive and Declaratory Relief</i> filed by U.S. Department of Justice. (Church, Rebecca) (Entered: 12/12/2018)  |
| 12/12/2018 | <u>30</u> | REPLY to Response to Motion re <u>22</u> MOTION for Summary Judgment filed by U.S. Department of the Treasury. (McMonagle, Ryan) (Entered: 12/12/2018)   |
| 12/12/2018 | <u>31</u> | REPLY to Response to Motion re <u>21</u> MOTION for Summary Judgment <i>of the Department of Justice, Tax Division</i> filed by U.S. Department of Justice. (McMonagle, Ryan) (Entered: 12/12/2018)  |
| 12/12/2018 | <u>32</u> | MINUTE ORDER. Currently on calendar for 12/17/2018 at 11:30 a.m. is a hearing on Defendants' Motions for Summary Judgment (Dkt. Nos. <u>20</u> , <u>21</u> , <u>22</u> ). The Court finds these motions suitable for decision without oral argument. Accordingly, the hearing on these motions is taken off calendar and this matter is taken under submission. No appearances will be required in this matter on 12/17/2018. Signed by the Chambers of Judge Larry Alan Burns on 12/12/2018.(jdt) (Entered: 12/12/2018)   |